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GP 3728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Attorney Docket: OAE.306 (J-OAER.1011)

Mike Dennis *et al.*

February 18, 2003

Serial No.: 10/003,122

Group #: 3728

Filed: November 14, 2001

Examiner: John T. Kavanaugh

For: Cushioning Shoe Insole

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

Sir:

AMENDMENT
Introductory Comments

This Amendment is in the revised format according to the Office of Patent Administration Notice dated January 31, 2003. In response to the most recent Office Action regarding this patent application, which action was dated November 18, 2002, Applicants have cancelled claims 1-3, inclusive, without prejudice, have added new claims 4, 5 and 6, have corrected a typographical error on page 2 of the specification, and have responded to the Examiner's *provisional* application of the judicially created doctrine of obviousness-type double patenting.

Additionally, Applicants have supplied fresh copies of specification-referred-to attachment Documents A and B which the Examiner says are missing from the Patent Office file copy of the application. These attachments, Applicants note, are also present in the file of the underlying, cross-referenced, priority provisional application.

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Further, Applicants are submitting herewith (a) a supplemental Information Disclosure Statement accompanied by copies of the documents listed therein, and (b) a three-page assembly of text material acquired over the Internet relating to the term "acceleration-rate-sensitive" which is employed in the application.